

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO. 1:14-27450

TIMOTHY W. CANADAY, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court is plaintiff's motion to substitute T.A. Bailey, as representative of the Estate of Timothy W. Canaday, as a party in this action for the deceased defendant, Timothy W. Canaday. (ECF No. 74). Timothy Canaday died on December 5, 2016. (ECF No. 73). On May 4, 2017, the Clerk of the Mercer County Commission in the state of West Virginia appointed Sheriff T.A. Bailey as the administrator of the Estate of Timothy W. Canaday. (ECF No. 74-1). Accordingly, plaintiff's motion to substitute is **GRANTED**.*

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

IT IS SO ORDERED this 29th day of June, 2017.

ENTER:



David A. Faber

Senior United States District Judge

*This matter was stayed because of Canaday's health and that stay is now **LIFTED** and the Clerk is directed to **REINSTATE** this matter to the court's active docket.